

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1083 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 33-4-6-2 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. (a) The Shelby
- 5 circuit court has concurrent, coordinate, and coextensive jurisdiction
- 6 with the Shelby superior court in the following:
- 7 (1) All civil actions and proceedings, at law or in equity.
- 8 (2) Divorce and special statutory proceedings and actions.
- 9 (3) Probate matters and proceedings.
- 10 (4) Actions by and against administrators, executors, guardians,
- 11 trustees, and other fiduciaries and personal representatives,
- 12 including will contests, actions to resist probate of wills, and
- 13 claims against estates.
- 14 (5) Criminal proceedings, actions and matters.
- 15 (b) The Shelby circuit court has concurrent, coordinate, and
- 16 coextensive jurisdiction with the Shelby superior court in all actions
- 17 and proceedings, at law or in equity, whether criminal, civil, divorce,
- 18 or other statutory matters, that are venued from other counties and from
- 19 any courts in other counties in Indiana.
- 20 (c) The Shelby circuit court ~~does not have~~ **has concurrent,**
- 21 **coordinate, and coextensive** jurisdiction ~~to file, hear, and determine~~
- 22 ~~juvenile proceedings or actions or other matters cognizable in the~~
- 23 ~~juvenile courts in Indiana. All juvenile jurisdiction is vested~~
- 24 ~~exclusively in the Shelby superior court. with Shelby superior court~~

No. 1 in juvenile matters and proceedings.

(d) The Shelby circuit court has concurrent, coordinate, and coextensive jurisdiction with the superior court of the county in all civil, criminal, and statutory actions and proceedings appealed from the board of commissioners, and any other board, inferior court, commission, agency, or officer in the county.

(e) In the exercise of its criminal jurisdiction, the circuit court may issue search warrants and warrants for arrest and any other legal process and find and determine all matters and facts necessary to the validity of warrants or other process under the Constitution of the United States, the Constitution of the State of Indiana, and the laws of this state.

(f) The circuit court has concurrent and coextensive jurisdiction with the superior court in any and all other matters, proceedings, acts, powers, and duties that are proper to be filed, tried, and determined in circuit courts and superior courts of general jurisdiction and are not specifically mentioned in this section.

SECTION 2. IC 33-5-39-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 7. (a) The courts have the same jurisdiction as the Shelby circuit court, except that **only** Shelby superior court No. 1 has ~~exclusive juvenile jurisdiction in the county~~; **concurrent, coordinate, and coextensive jurisdiction with the Shelby circuit court in juvenile matters and proceedings.**

(b) Shelby superior court No. 2 has a standard small claims and misdemeanor division."

Renumber all SECTIONS consecutively.

(Reference is to HB 1083 as printed January 29, 2002.)

Representative Herndon